

KENNETH W. MILLS  
 Name T-1909512  
 Prison Identification/Booking No. SALINAS VALLEY STATE PRISON (02/12/41)  
 ADDRESS or PLACE OF CONFINEMENT

E-filing

FILED  
 MAR 11 PM 3:30  
 RICHARD W. FLEMING  
 CLERK, U.S. DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

Note: It is your responsibility to notify the Clerk of Court in writing of any change of address.  
 Note: If represented by an attorney, his name, address & telephone number.

RMW  
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UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

RMW

(PR)

KENNETH WAYNE MILLS  
 FULL NAME (Include name under which you were convicted)  
 Petitioner,

CASE NO. CV \_\_\_\_\_  
 To be supplied by the Clerk of the  
 United States District Court

PETITION FOR WRIT OF HABEAS CORPUS  
 BY A PERSON IN STATE CUSTODY  
 (28 U.S.C. § 2254)

PLACE/COUNTY OF CONVICTION SAN JOAQUIN

PREVIOUSLY FILED, RELATED CASES IN THIS DISTRICT  
 COURT (LIST BY CASE NUMBER)

CV \_\_\_\_\_  
 CV \_\_\_\_\_  
 CV \_\_\_\_\_  
 CV \_\_\_\_\_

WARDEN OF SALINAS VALLEY STATE PRISON  
 NAME OF WARDEN, SUPERINTENDENT, JAILOR OR  
 AUTHORIZED PERSON having custody of petitioner  
 Respondent.

(If petitioner is attacking a judgment which imposed a sentence to be served in the future, petitioner must fill in the name of the state where the judgment was entered. If petitioner has a sentence to be served in the future under a federal judgment which he wishes to attack, he should file a motion under 28 U.S.C. §2255, in the federal court which entered the judgment)

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

10/10

## PETITION

## 1. Venue

a. Place of Detention

"SALINAS VALLEY STATE PRISON"

b. Place of conviction

"NEWARK SUPERIOR COURT"

c. Place sentenced

"CALIFORNIA DEPARTMENT OF CORRECTIONS"

## 2. Conviction on which the petition is based (a separate petition must be filed for each conviction being attacked).

a. Nature of offense involved (include all counts)

"N/A"

"N/A"

b. Penal or other code section or sections

"N/A"

"N/A"

c. Case Number

VK088677

"N/A"

d. Date of conviction

~~AUGUST 28th 2006~~

"JUNE 06th 2006"

e. Date of sentence

"AUGUST 28th 2007"

f. Length of sentence on each count

LIFE

g. Plea (check one)

(1) Not guilty ( )

(2) Guilty (✓)

(3) Nolo Contendere ( )

h. Kind of trial (check one)

(1) Jury (✓)

(2) Judge alone ( )

(3) Judge alone on transcript ( )

i. Did you testify at trial?

Yes (✓)

No ( )

## 3. Did you appeal from the conviction or sentence?

Yes (✓) No ( )

## 4. If you did appeal, give the following information for each appeal

a. (1) Name of Court

"CALIFORNIA COURT OF APPEALS 2ND DIST."

(2) Result

"NOT KNOWN"

(3) Date of result

"N/A"

(4) Citation or number of opinion

"N/A"

(5) Grounds raised (list each)

(a) \_\_\_\_\_

(b) \_\_\_\_\_

(c) \_\_\_\_\_

(d) \_\_\_\_\_

(e) \_\_\_\_\_

"30F10"

(f) \_\_\_\_\_

(g) \_\_\_\_\_

b. (1) Name of court \_\_\_\_\_

(2) Result \_\_\_\_\_

(3) Date of result \_\_\_\_\_

(4) Citation or number of opinion \_\_\_\_\_

(5) Grounds raised (list each): \_\_\_\_\_

(a) \_\_\_\_\_

(b) \_\_\_\_\_

(c) \_\_\_\_\_

(d) \_\_\_\_\_

(e) \_\_\_\_\_

(f) \_\_\_\_\_

(g) \_\_\_\_\_

5. If you did not appeal:

a. State your reasons \_\_\_\_\_

b. Did you seek permission to file a late appeal? Yes ( ) No ( )

6. Other than a direct appeal, have you previously filed any petitions, applications or motions with respect to this conviction in any court, state or federal? Yes ( ) No ( )

7. If your answer to 6 was YES give the following information:

a. (1) Name of court \_\_\_\_\_

(2) Nature of proceeding \_\_\_\_\_

(3) Grounds raised \_\_\_\_\_

(4) Result \_\_\_\_\_

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"(4 of 10)"

(5) Date of result \_\_\_\_\_

(6) Citation or number of any written opinions or orders entered pursuant to each such disposition.

b. (1) Name of court \_\_\_\_\_

(2) Nature of proceeding \_\_\_\_\_

(3) Grounds raised \_\_\_\_\_

(4) Result \_\_\_\_\_

(5) Date of result \_\_\_\_\_

(6) Citation or number of any written opinions or orders pursuant to each such disposition.

c. (1) Name of court \_\_\_\_\_

(2) Nature of proceeding \_\_\_\_\_

(3) Grounds raised \_\_\_\_\_

(4) Result \_\_\_\_\_

(5) Date of result \_\_\_\_\_

(6) Citation or number of any written opinions or orders entered pursuant to each such disposition.

8. Was an evidentiary hearing held? Yes ( ) No ( )

If so, state the name of the court, and the result \_\_\_\_\_

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CV - 09 (5/98)

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9. If your answer to 6 was NO, explain briefly why you did not seek post-conviction relief in the state courts.

CAUTION: *Exhaustion Requirement:* In order to proceed in federal court you must ordinarily first exhaust your state court remedies as to each ground on which you request action by the federal court. This means that even if you have exhausted as to some grounds, you must first present all other grounds to the state court.

10. State concisely every ground on which you claim that you are being held unlawfully. Summarize briefly, the facts supporting each ground. If necessary, attach a SINGLE page only behind this page.

CAUTION: If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

a. Ground one "CIVIL RIGHTS VIOLATIONS - VIOLATION OF CA LAWS"  
"VIOLATION OF CALIFORNIA CONSTITUTIONS - ECCR ART 7"

Supporting FACTS (tell your story BRIEFLY without citing cases or law)

CAUTION: You must state facts, not conclusions, in support of your grounds. (e.g., if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do). A rule of thumb to follow is - who did exactly what to violate your rights at what time or place.

MY "FREEDOM" WAS TAKEN WITH DENIAL OF MY PERSONAL PROPERTY. I CLAIM STATE WITH DENIAL OF PROGRAM FOR (74) DAYS WITH MY DENIAL OF EXERCISE (74) DAYS CTR ON WALKER LEAVE AND THERE'S NO-WHERE TO SET "STEEL CAGES"  
 I WAS ABANDONED BY GO STANDARD FOR NOT FOLLOWING AN UNLAWFUL ORAL

b. Ground two MY FREEDOM WAS FURTHER HAMPED. IM MADE TO LIE IN BED (74) DAYS ABOUT PROPERTY. IM DENIED ADDRESS IN PROPERTY. BY LAW-LEGAL WORK & RELIGIOUS WORK IS NEVER TO BE TAKEN FROM A PERSON (INMATE) OUT OF FROM

Supporting FACTS (tell your story BRIEFLY without citing cases or law).  
MY BEING "LOCKED-DOWN" FOR "74" DAYS (AND COUNTING) FOR "POLICE MISCOUNT, I HAD MAIL PROGRAM TAKEN FROM ME AND "HAVING TO SUFFER POLICE MISCOUNT" DAILY.

"MY FOOD IS TAMPERED WITH DAILY"

605101

13. Are you presently represented by counsel?

Yes ( ) No ☒

If so, name, address and telephone number

Case name and court

Court: CALIFORNIA Superior Court Salinas CA. 93801

WHEREFORE, petitioner prays that the court grant petitioner relief to which he may be entitled in this proceeding.

Kenneth Mills

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on 02-22-2008

Kenneth Mills

Signature of Petitioner

Kenneth Mills (7-90851)

02/11/2008

(70F10)9

c. Ground three

Supporting FACTS (tell your story BRIEFLY without citing cases or law).

d. Ground Four

Supporting FACTS (tell your story BRIEFLY without citing cases or law).

1st time SUBMITTING THIS PETITION

11. If any of the grounds listed in 10 were not previously presented to this court or any other court, state briefly which grounds were not presented and give your reasons.

12. Do you have any petition, appeal or parole matter pending in any court, either state or federal as to the judgment of conviction under attack?

Yes ☒ No ☐

SUPERIOR COURT OF CALIFORNIA  
SALINAS, CALIFORNIA  
93981

180110

## INSTRUCTIONS - READ CAREFULLY

This petition shall be legibly handwritten or typewritten, and signed by the petitioner, under penalty of perjury. You must set forth CONCISELY the answer to each question in the proper space on the form. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury.

You must not attach separate pages to this petition, except that ONE separate additional page is permitted in answering Question No. 10.

Upon receipt of a fee of \$5.00 your petition will be filed if it is in proper order.

If you are seeking leave to proceed in forma pauperis (without paying the \$5.00 filing fee and other court costs), then you must also complete and execute the declaration on the last two pages, setting forth information which establishes your inability to pay the fees and costs of the proceedings or to give security therefore. If you wish to proceed in forma pauperis, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution. If your prison account exceeds \$25.00, you must pay the filing fee as required by the rule of the district court.

When the petition is completed, the original and two copies must be mailed to the Clerk of the United States District Court for the Eastern District of California, 501 I St., #4-200, Sacramento, CA 95814.

Only one sentence, conviction or parole matter may be challenged in a single petition. If you challenge more than one, you must do so by separate petitions.

Petitions which do not conform to these instructions will be returned with a notation as to the deficiency.

PLEASE COMPLETE THE FOLLOWING: (Check the appropriate number)

This petition concerns:

1. \_\_\_\_\_ A conviction.
2. \_\_\_\_\_ A sentence.
3. ☒ Jail or prison conditions.
4. \_\_\_\_\_ Prison discipline.
5. \_\_\_\_\_ A parole problem.
6. \_\_\_\_\_ Other.

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

*[Handwritten signature]*



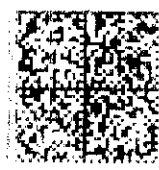
ENVELOPE W. MICH. 779045 RETURN TO  
STANLEY L. HARRIS JR. 124 ALDER STREET  
SIOLESA CHIEF 934 070220

Office of the Clerk U.S. District Court  
NORTHERN DISTRICT OF CALIFORNIA

Room 2112

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